

22-mc-51723


From: Melvin Jones Jr

1935 Hosler St. - Flint, Michigan 48503

Email: meljonesjr@gmail.com

phone# (google-voice) 415-562-5074

Today's date: November 27th, 2022



**To: US EPA (and) EPA Title VI
discrimination department
U.S. Environmental Protection Agency
(EPA), Office of External Civil Rights
Compliance (OECRC)
U.S. EPA External Civil Rights
Compliance Office (2310A) 1200
Pennsylvania Ave., NW Washington,
D.C. 20460
Email: Title_VI_complaints@EPA.gov**

Dear: US EPA - OECRC

**OECRC accepted [my] discrimination
complaint against EGLE for
investigation on March 11, 2022, to**

*FYI - Notice
document
to:
Judge
Levy*

determine whether EGLE discriminated against you on the basis of race and disability with respect to the approval of Permit to Install (PTI) No. APP-2021-0019 for the Ajax Asphalt Plant. That complaint is pending in the Informal Resolution Agreement process; and the EPA File as to my Title VI complaint against the MI EGLE is as following#:03DRr-22-R5.

The purpose of this letter is to ADD additional very important (e.g. as to what I believe are) “newly discovered by me.... ALLEGATIONS of FURTHER discrimination put against me by MI EGLE {e.g. which also involve the City of Flint}. That is to say, I believe that the MI EGLE and City of Flint are: CatchAll/Combinations of Entities.

Also, please refer to the affixed exhibits which are intended to AID the US EPA - OECRC in adding the following allegations of discrimination to my EXISTING Title VI discrimination complaint against the MI EGLE. Which is to saymy written statements herein to your agency are for the purposes of alleging that my federal civil rights of one or more persons have been violated by a recipient of financial assistance {e.g. the MI EGLE and City of Flint} from EPA and [I] am respectfully requesting that (i.e. US EPA-OECRC) the agency act. More to the point, [my] Multiple complaints ostensibly raise substantially identical {e.g. very SIMILAR systemic pattern and practice of unlawful discrimination being put against me by the MI EGLE} and as such, my allegations against the same

entity [e.g. MI EGLE] may be treated as one case and assigned one case number. Here, should ADD my instant allegations of discrimination to the ECRCO accepted complaint against the MI EGLE for investigation on March 11th, 2022; whereby my complaint (#03DRr-22-R5), [and] this letter/ subsequent complaint that raises substantially identical allegations against the same entity SHOULD be incorporated it into the existing case (e.g. my existing Title VI discrimination complaint against the MI EGLE). Further... it is my intent here to ALSO allege a Continuing Policy or Practice (e.g. on the part of MI EGLE {and/ or on the part of the City of Flint and MI EGLE})that is to say, the ECRCO should investigate acts that are outside of the 180-day time period, because my complainant alleges facts that indicate

a continuing discriminatory policy or practice (e.g. of discrimination).

And, my instant letter/ correspondence claiming continuing violations DOES MUCH more than allege that [I], disabled - Melvin Jones Jr., am being subjected to a continuing violation.

That is... here, complainant, Melvin Jones Jr., does allege facts that are sufficient to indicate either a series of related acts of which one occurred within the 180-day filing period or a systematic policy or practice that operated within the 180-day period.... Because, notably, a continuing violation is occasioned by continual unlawful acts, not continual ill effects from an original violation.

[I] believe that on the basis of my race (Black) and Disability...

- **On or about March 11th, 2022... the MI EGLE and the City of Flint are CatchAll/ Combinations of Entities.**
- **On November 27th, 2022: The MI EGLE and City of Flint willing to assist ME in receiving information on how to have the water service line in your home tested and/or replaced. If you are interested in receiving this additional information,**
- **In March 2022... the MI EGLE failed to engage with [ME] as a sight impaired and mobility impaired disabled person in the local Flint community to address community concerns that may not be within the scope of the air permit {CAA**

permit #90-21 issued to Ajax Asphalt on November 15th, 2021} and such was done against me by the MI EGLE in direct effort to HIDE and COVER-UP “multiple” violation warnings and/ or violation notices [i.e. between the years 2014 to 2021] regarding Ajax Asphalt’s other industrial - plants located in the State of Michigan.

- **On November 27th, 2022... [I] incorporate by reference [as if fully set forth herein] the exhibits affixed hereto — and thus replead and repeat said exhibits accordingly, against the MI EGLE (and/ or against the MI EGLE and City of Flint)...**
- **On or about August 10th, 2020 - the MI EGLE and subsequently the City of Flint [VERY] reluctantly ...agreed to settle the mass-class-action**

lawsuits pending against them [e.g. MI EGLE/ City of Flint] which were filed against both recipients of US EPA funds due to MANY YEARS of [BOTH] the State of Michigan/ MI DEQ/ MI EGLE and City of Flint having used federal funds from the US EPA in a discriminatory manner against the DISABLED and BLACK residents of the City of Flint {e.g. such as myself}... which certainly IMPLCATES and supports [MY] allegation[s] of disproportionate race and disability impacts, pertaining to the FLINT POISONED WATER CRISIS [and] the resulting FURTHER discrimination ongoing conduct of the MI EGLE [and-City of Flint] with the siting of AJAX ASPHALT facility @ the Norther border of the City of Flint does cause... to include resulting in VIOLATION of

my civil rights and US EPA Title VI civil rights laws/ statutes.

- **In June of 2022... both the City of Flint and MI EGLE due to discriminatory intent against me... as a disabled person and a Black resident of the City of Flint (e.g. ... along with the director of the EGLE, specifically the Mayor of the City of Flint (Sheldon Neeley) — failed to put forth ANY funds allocation[s] as to the approx. \$197 million dollars in ARPA and US EPA funds which the City of Flint had received from the Federal Government)... which literally prompted certain members of the Flint City Council to complain about the Mayors lack of “leadership”.**

- **In November 2022** - both the MI EGLE and the City of Flint {e.g. }... *I believe that there are MORE violation notices which have previously been issued against Ajax Asphalts' other facilities... but [as] further means of discriminating against me on the basis of me being a "slow witted" disabled person on account of my multiple serious disabling medical conditions.... the MI EGLE has literally HIDE, and COVERED - UP and possibly DESTROYED said previous violation matters as to Ajax Asphalt --- (e.g. just like the City of Flint and MI DEQ/ MI EGLE and State of Michigan covered-up and hide salient*

unfavorable facts as to the Flint poisoned water crisis [which MAY extend to the MI EGLE/ city of flint.... lead water line removal boondoggle which is STILL going on after more than 6 years of mess/).

- **From the years of 2014 to November 27th, 2022... the MI EGLE (and the CITY of FLINT) literally VERY reluctantly and deliberately SLOWLY [if at all... unless and until the US EPA issued ADMINISTRATIVE ORDERS WHICH DIRECTED IMMEDIATE CORRECTIVE ACTION or.... unless the US EPA literally issued letters of concern and/ or Title VI**

**investigations] failed to
address and/ or listen to
environmental concerns
from Black and Disabled
residents such as myself of
the City of Flint as to FWC
LEAD WATER SERVICE
LINES, and the AJAX
ASPHALT PLANT located in
the City of Flint; and... this
ONGOING pattern of
discrimination whereby a
City Mayor-Administration
and the MI EGLE are yet
again [CatchAll/
Combinations of Entities] is
easily found in the
EXAMPLE of the MI EGLE
and City administration of
BENTON HARBOR, Michigan
...whereby literally the US
EPA has to issue an
administrative-order against**

**the City of Benton Harbor
and the MI EGLE.**

- **From the year 2015 to
November 27th, 2022 - the
MI EGLE was VERY quick to
act upon non-disabled and
non-black residents'
concerns and complaints as
to "environmental" air
quality and lead service line
removal promises in cities
within the State of Michigan
([e.g. EXCEPT the City of
Flint]... due to the FACT that
the City of Flint has a
greater percentage of
disabled persons, such as
myself [and] a larger
percentage of Black Adult
residents such as [ME])....
whereby literally the AIR
QUALITY concerns of white
and non-disabled residents**

**of the “suburbs” which are
NOT part of Genesee County
nor part of the City of Flint...
received PROMPT and
EFFECTIVE action as to their
complaints/ concerns of
something as “minor” as a
“foul” odor which MIGHT be
“released” from an AJAX
Asphalt Plant.**

**In June 2021 to November 27th, 2022...
[both] the Director of the MI EGLE and
the Mayor of the City of Flint... failed to
PUBLICALLY provide any/ all of the
KNOWN air-quality” violations, and
such to [ME] regarding Ajax Asphalt...
on account of me being a disabled
person who is a black adult resident of
the City of Flint -- and such was done
and put against me as a means of
FURTHER ongoing race and disability**

discrimination [and] so that the MI EGLE would NOT be put in a position to have to “do the right thing” and APPROPRIATELY resolve my pending US EPA - Title VI discrimination complaint against the MI EGLE {e.g. which is in the INFORMAL RESOLUTION STAGE}.

- **From the year of 2014 to November 27th, 2022... The MI EGLE and the City of Flint continue essentially the SAME pattern and practice of ONGOING race and disability discrimination against [ME] as a resident of the City of Flint.... Which is to say — that THE FLINT POISONED WATER CRISIS was motivated by race animus against Black-African Americans and the Disabled who are Black {e.g. such as myself}... whereby the MI EGLE**

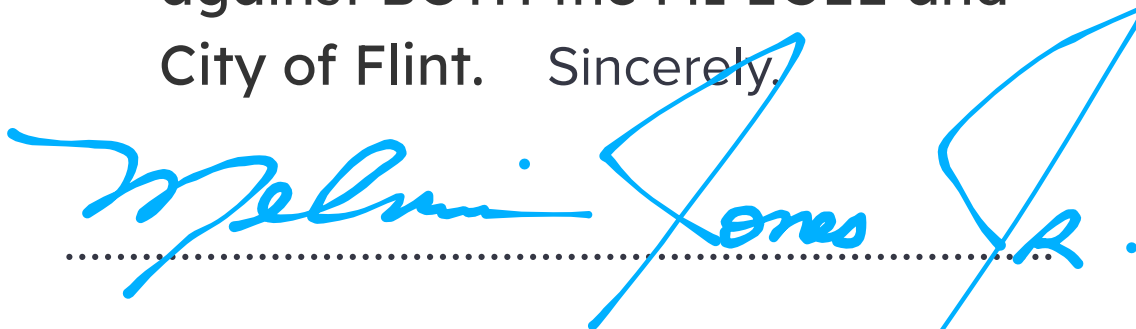
and City of Flint settlement [e.g. in for about August 10th, 2020 of the Flint poisoned Water Crisis].... and 6+ years of the MI EGLE and City of Flints' FAILURE to simply remove lead-service water lines out of the ground on the City of Flint.... and the EVENTS surrounding and culminating into the MI EGLE's issuance of CAA permit #90-21, on November 15th, 2021.... ARE literally [ONE ONGOING PATTERN] of "similar and/ or identical" environmental injustice means and methods... of putting discrimination against me on account of me being a DISABLED, Black guy.

- **In June 2021 to November 27th, 2022 – both the MI EGLE and the CITY OF FLINT.... "cut corners" as a further act/ ongoing discrimination put against the Black and Disabled in the City of Flint... by FAILLING to**

properly IDENTIFY the exact metal composition of service water lines... by “taking the easy way out”... due to me being a “slow witted” disabled Black dude.... Whereby they [e.g. the MI EGLE and City of Flint] MARKED certain houses which are OCCUPIED and/ owned by disabled persons (such as myself) as [“LEAD STATUS UNKNOWN”].... Which is to say... knowingly (e.g. when a RELIABLE and COST EFFECTIVE method of 100% determination has been known to BOTH the MI EGLE And City of Flint since at least July 2021 {e.g. the XRF hand held metal analyzer made by Thermo-Scientific used on the PEOPLE in the Flint Water Crisis Settlement, for example} Lead Status Unknown” where the service line material is not known to be lead, galvanized requiring

replacement, or a non-lead service line, such as where there is no documented evidence supporting material classification. The water system may classify the line as “Unknown” as an alternative to classifying it as “Lead Status Unknown,” however, all requirements that apply to “Lead Status Unknown” service lines must also apply to those classified as “Unknown.” Water systems may elect to provide more information regarding their unknown lines as long as the inventory clearly distinguishes unknown service lines from those where the material has been verified through records or inspection

- From July 2021 to November 27th, 2022 - Here.... the “LEAD STATUS UNKNOWN” marking/ label which the MI EGLE and City of Flint have given my home @ 1935 Hosler St - Flint... I believe it is [ongoing discrimination] and retaliation put against me for having filed my US EPA Title VI discrimination complaints against BOTH the MI EGLE and City of Flint. Sincerely.



Melvin Jones Jr. - disabled US EPA Title VI complainant



Mel jones jr <meljonesjr@gmail.com>

Yeah --- WHO were the members of the FLINT CITY COUNCIL during the MI EMERGENCY MANAGER time in the CITY of FLINT ???

1 message

Mel jones jr <meljonesjr@gmail.com>

Wed, Nov 30, 2022 at 3:46 AM

To: "Pantziris, Jack" <Pantziris.Jack@epa.gov>, "Dorka, Lilian" <Dorka.Lilian@epa.gov>
Cc: Colleen Connors <cmcolleen4@gmail.com>, Mel jones jr <meljonesjr@gmail.com>, Silicon_Heartland@protonmail.com, "Stern,, Corey" <csstern@levylaw.com>, meljonesjr@myyahoo.com, Deborah Greenspan <deborah.greenspan@blankrome.com>, "Johahna <Johnson.Johahna@epa.gov>, mel jones <meljr777@yahoo.com>, pnapoli@napolilaw.com, Hunter Shkolnik <hunter@napolilaw.com>, Patrick Lanciotti <PLanciotti@napolilaw.com>, llewis@cityofflint.com, dpfeiffer@cityofflint.com, qmurphy@cityofflint.com, jpriestley@cityofflint.com, tburns@cityofflint.com, egle-nondiscriminationCC@michigan.gov, Jeremy Maltz <jeremy@lehotskykeller.com>, Emmy Levens <elevens@cohenmilstein.com>, aherkenroder@cityofflint.com, Nicholas Leonard <nicholas.leonard@glelc.org>, Diane" <russell.diane@epa.gov>, "Frantz, Kimber (EGLE)" <FrantzK@michigan.gov>, "Kimber (EGLE), <FrantzK@michigan.gov>, Liesl.Eichler.Clark@michigan.gov, ClarkL20@michigan.gov, mjohnston@ajaxpaving.com,, bettenhausenm@michigan.gov, tbishop@mayerbrown.com, 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Bcc: "Mel Jones Jr." <midcenturyatfirst@gmail.com>, Mel jones jr <Blessedami97@yahoo.com>, mel jones <meljr777@yahoo.com>

11-30-2022

To: US EPA - Title VI department (Jack Pantziris)...

Paragraph 5 of Flint Emergency Manager Ambrose Order No. 3 regarding the authority, duties, and responsibilities of the City

Administrator be amended to read as follows:

“Direct City department heads in carrying out the daily activities of the City, in the assembly of financial and management information; and in the gathering and assembly of pertinent data and information and recommendations for the Mayor and **City Council’s** {"spoiler ALERT" --- Flint Mayor Sheldon Neeley was a Flint City Council person during the "emergency manager: time in the City of Flint [and] of course... Mr. Dayne Walling was at that same time, the Mayor of the City of Flint}.... consideration in making executive determinations and policy.”

Unfortunately --- I will NOT be able [i.e. due to my serious disabling medical conditions {for example.... my IBS medical condition is literally causing me to be awake right now (e.g. worsened by the FWC, I believe)} to WATCH most of the upcoming VNA and LAN Bellwether Trial #2 (i.e. redux of the 1st bellwether trial)... so

I hope that my informal caregiver (Colleen Connors) may be doing so - every now and then.

" That Paragraph 5 of Flint Emergency Manager Ambrose Order No. 3 regarding the authority, duties, and responsibilities of the City Administrator be amended to read as follows: "Direct City department heads in carrying out the daily activities of the City, in the assembly of financial and management information; and in the gathering and assembly of pertinent data and information and recommendations for the Mayor and City Council's consideration in making executive determinations and policy." "

[see the attached document(s)]. 😊😊😊.

Have you ever wondered WHY the MI EM (e.g. say for example, the dude with the "shag" hair cut [Darnell Early] routinely sought the INPUT and TACIT approval of certain decisions DIRECTLY with and in "unison cooperation" with the CITY of FLINT CITY COUNCIL ???? --- stay tuned.

Sincerely,

/s/

disabled - Mel

2 attachments



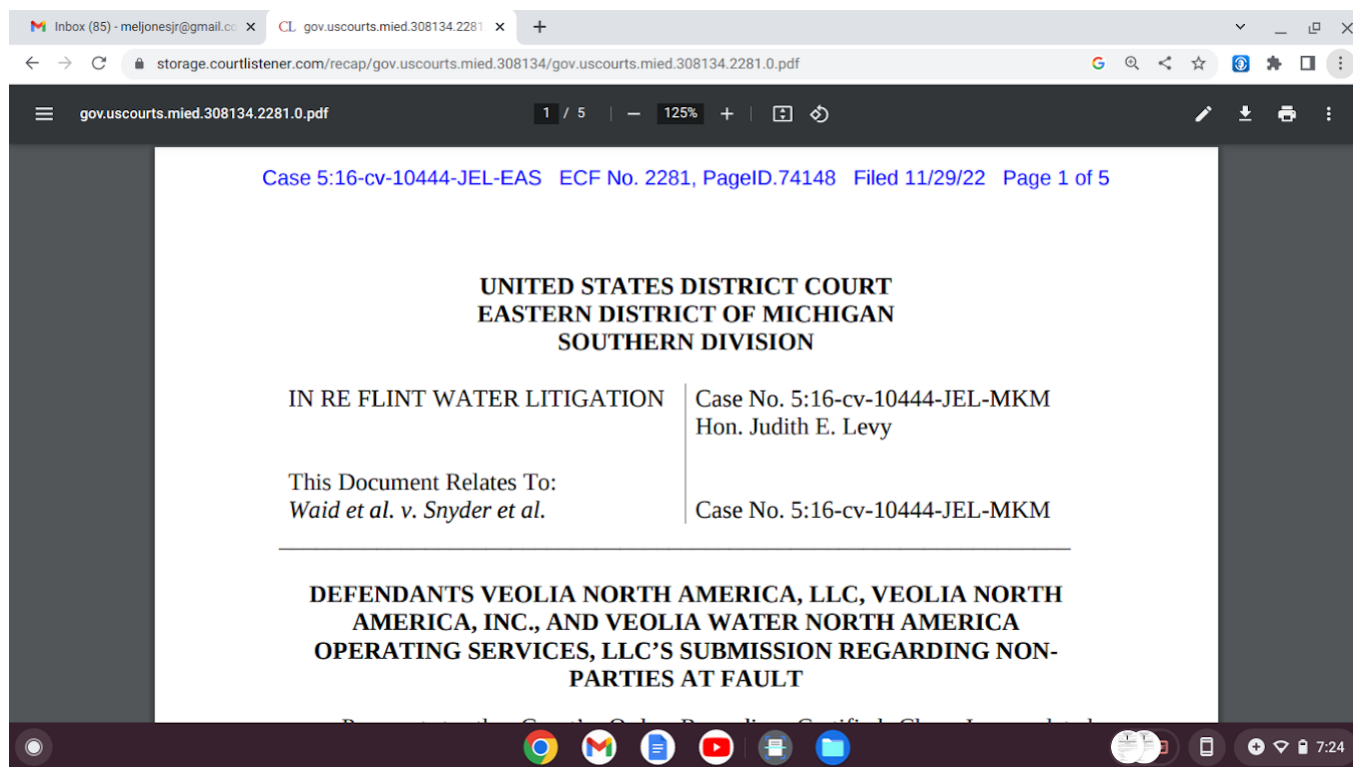
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Bcc: "Mel Jones Jr." <midcenturyatfirst@gmail.com>, Mel jones jr <Blessedami97@yahoo.com>, mel jones <meljr777@yahoo.com>

To: Special Master - Deborah Greebspan,
Ok -- this may sound silly, but [IF] you look @ a few of my pleadings a year or so ago --- [I] stated that "through" Christ... I believe that my mom [whom] passed-away to be with the Lord in heaven in December 2020.... "ASKED" {here, think of the holy-trinity [father, SPIRIT, son] me to appeal --- and NOT be afraid to speak up for myself. And, no kidding... I kind of "saw" this coming {and, this MAY really seem "weird", ...no kidding --- I think that possibly, I know the "OUTCOME" of the instant case:



IF, there is a SMALL settlement "window" it MAY be NOW (e.g. but do NOT be surprised, if VNA and LAN offer \$1.xx as a form of settlement). This is

where the Special Master SHOULD be reached -
out to by LK LAW FIRM.... so as to BEG, yes beg,
LAN and VNA for some sort of settlement [e.g.
hey --- [!]] would be HAPPY with a NEW water-
heater ...and, an "arrangement" whereby a
licensed plumber 100% re-plumbs my home !!!

Sincerely,

/s/

~disabled, Mel

James Taylor -- your've got a friend

<https://www.youtube.com/watch?v=3WJ1cf3nrLE>



gov.uscourts.mied.308134.2281.0.pdf
46K



Mel jones jr <meljonesjr@gmail.com>

To: Patrick @ Napoli Law Firm.... Ok, of [HERE] is a GOOD [e.g. friendly] suggestion that MAYBE LK LAW Firm, nor Napoli Law Firm should PUT TOO MUCH RIDING ON YOUR REQUESTED DEPOSITION AS/ OF THE VEOLIA NORTH AMERICAN GUY !!!!!

1 message

Mel jones jr <meljonesjr@gmail.com>

Mon, Nov 28, 2022 at 7:12 PM

To: Hunter Shkolnik <hunter@napolilaw.com>, pnapoli@napolilaw.com, Patrick Lanciotti <PLanciotti@napolilaw.com>, "Stern, Corey" <csstern@levylaw.com>

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11-28-2022

To: Patrick Lanciotti @ Napoli Law Firm

.... Ok, of [HERE] is a GOOD [e.g. friendly] suggestion that MAYBE LK LAW Firm, nor Napoli Law Firm should PUT TOO MUCH RIDING ON YOUR REQUESTED DEPOSITION AS/ OF THE VEOLIA NORTH AMERICAN GUY !!!!!

"Texas Style Deposition"

<https://www.youtube.com/watch?v=ZlxmrvbMeKc>

Anyway --- how are things with you? Did you have a good thanksgiving?


Lastely --- on a scale of 1 through 10.... HOW prepared for Trial are you [e.g. TODAY] ? If say, trial day was tomorrow? And... your/ Mr. Lanciotti.... answer literally speaks volumes of LK Law Firm and Napoli Law Firms' command [or LACK THEREOF] of the VNA/ LAN civil case @ hand.

~[disabled] - Mel

U.S. EPA External Civil Rights Compliance Office (2310A) 1200 Pennsylvania Ave., NW Washington, D.C. 20460


7 attachments

 **Letter to US EPA CatchAll_ Combinations of Entities.pdf**
140K


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